

STATE ADMINISTRATION

Exhibit No. 3

Date 1-22-07

Bill No. SB-260

Honorable Chairwoman and members of the committee,

For the record my name is Marissa Stockton and I am here representing Eagle Forum a national organization that lobbies for God, Country and Family.

I would first like to thank Senator Shockley for bringing SB 260 to the forefront.

As many of you know illegal aliens are a huge problem in our country and something definitely needs to be done here in Montana regarding this situation because we are a border state with another country. Now is the right time to look at this issue before it becomes a problem. If someone is not a U.S. citizen and they want to vote they need to take the time to go through the process to become a legal U.S. citizen. All it requires is a little time and effort on their behalf.

Our voting process is very important to the voters of Montana and we would hate to have undo influence by illegal's voters that are not familiar with the issues regarding our state and country. The right to vote is central to the privileges of Montana citizens who are U.S. citizens. It is important to note that becoming a U.S. citizen is an honor and not something that we as citizens take lightly. Becoming a citizen proves your allegiance to the United States and along with that comes inalienable rights, voting being included in those rights.

SB 260 would also stop political parties from catering to the illegal aliens just to get their votes. Candidates would then be able to campaign accordingly to their legal constituents rather than panhandling to the illegal aliens. SB 260 should be endorsed by both parties, Republicans and Democrats alike to assure the highest level of integrity in the electoral process.

The only problem that we are foreseeing with SB 260 is that currently in Montana stature as it states in the Montana Code Annotated 2005, section 13-2-110 subsection 5 of the election laws if you do not have a driver's license or social security number in order to vote you may present any current photo ID that shows your name (for example, school ID, state ID, or tribal ID) or a current utility bill, bank statement, paycheck, voter confirmation notice, government check or other government document that shows your name and current address. Nowhere is it stated that to register to vote you have to prove that you are a citizen of the U.S. with a birth certificate or other certified proof of citizenship. Any illegal alien could successfully vote by just showing a current utility bill, bank statement or paycheck that shows their name and current address at the polls. How is the election judges suppose to know if the voter is an illegal alien or a legal citizen? That is why it is very important that potential voters of this state should provide proof of citizenship before they are allowed to vote. SB 260 is a step in the right direction but we need to be able to restrict the illegal aliens voting rights making it impossible for them to vote unless they become a United States citizen.

We support SB 260 as it is written but the present election laws at this present time do not provide for any protection to the legal voters and this needs to be looked into.

**13-2-110. (Effective July 1, 2006). Application for voter registration -- sufficiency and verification of information -- identifiers assigned for voting purposes.** (1) An individual may apply for voter registration in person or by mail by completing and signing an application for voter registration and providing the application to the election administrator in the county in which the elector resides.

(2) An individual applying by mail shall send the application to the election administrator, postage paid, no later than 15 days after the date it is signed.

(3) Each application for voter registration must be accepted and processed as provided in rules adopted under 13-2-109.

(4) Except as provided in subsection (5):

(a) an applicant for voter registration shall provide the applicant's driver's license number; or

(b) if the applicant does not have a driver's license, the applicant shall provide the last four digits of the applicant's social security number.

(5) If an applicant does not have a driver's license or social security number:

(a) an applicant appearing in person before the election administrator shall provide:

(i) current and valid photo identification, including but not limited to a school district or postsecondary education photo identification or a tribal photo identification, with the individual's name; or

(ii) a current utility bill, bank statement, paycheck, government check, or other government document that shows the individual's name and current address.

(b) an applicant applying by mail to register shall also enclose a copy of:

(i) a current and valid photo identification, including but not limited to a school district or postsecondary education photo identification or a tribal photo identification, with the individual's name; or

(ii) a current utility bill, bank statement, paycheck, government check, or other government document that shows the individual's name and current address.

(6) (a) If information provided on an application for voter registration is sufficient to be accepted and processed and is verified pursuant to rules adopted under 13-2-109, the election administrator shall register the elector as a legally registered elector.

(b) If information provided on an application for voter registration was sufficient to be accepted but the applicant failed to provide the information required in subsection (4) or (5) or if the information provided was incorrect or insufficient to verify the individual's eligibility to vote, the election administrator shall register the applicant as a provisionally registered elector.

(7) Each applicant for voter registration must be notified of the elector's registration status pursuant to rules adopted under 13-2-109.

(8) The secretary of state shall assign to each elector whose application was accepted a unique identification number for voting purposes and shall establish a statewide uniform method to allow the secretary of state and local election officials to distinguish legally registered electors from provisionally registered electors.

(9) The provisions of this section may not be interpreted to conflict with voter registration accomplished under 13-2-221, 13-21-201, 13-21-203, and 61-5-107 and as provided for in federal law.